



2015 ANNUAL REPORT

Morgantown Planning Commission

The West Virginia State Code Chapter 8A-2-11 requires Planning Commissions to:

“Make an annual report to the appropriate governing body concerning the operation of the planning commission and the status of planning within its jurisdiction.”

The Morgantown Planning Commission respectfully submits herewith its 2015 Annual Report. The Planning Commission also extends its sincere appreciation to City Council, City Administration, and the Morgantown community for the cooperative commitment toward the principles of enhancing the quality of life and the design of our city; fostering innovative planning; promoting distinctive neighborhoods and a healthy downtown; supporting sustainable community and economic development; and, involving citizens in the decisions that affect them.

Morgantown Land Use Planning Milestones

- 1944.....City Council adopted first Zoning Ordinance
- 1959.....West Virginia Planning Enabling Act Adopted
- 1961.....City’s First Comprehensive Plan Adopted
- 1970.....Comprehensive Plan Updated
- 1979First City Planner Hired
- 1999.....Comprehensive Plan Update Adopted
- 2006.....Planning & Zoning Code Modernized and Codified
- 2010.....Downtown Strategic Plan Update Adopted
- 2013.....Comprehensive Plan Update Adopted



2015 Planning & Zoning Cases

The following table illustrates the caseload for the Planning Commission and Board of Zoning Appeals during the 2013, 2014, and 2015 calendar years.

PC	BZA	Number of Applications			2015 Actions			
		2013	2014	2015	Pending	Approved	Denied	W/drawn
Site Plans (DSI / MDSI)		2	4	6	1	5	0	0
Minor Subdivisions		24	11	19	0	18	1	0
Major Subdivisions		0	1	0	0	0	0	0
Map Amendments		4	7	10	0	7	2	1
Text Amendments		4	3	5	0	4	1	0
Variances		70	56	80	7	63	4	6
Conditional Uses		22	13	12	0	10	0	2
Administrative Appeals		1	3	5	0	3	2	0
TOTAL		127	98	137	8	110	10	9

Citizen Planners

The success of local planning policies, programming, and services depends largely on the commitment and integrity of residents appointed by the Morgantown City Council to serve on various planning-related commissions, boards, and committees. Morgantown is fortunate to enjoy a well-informed public that is willing to serve the role of “Citizen Planner.” The following table identifies these volunteers and their respective terms as of December 31, 2015.

Citizen Planner	Date of Original Appointment	Current Term	Tenure (in months)
Planning Commission			
Peter DeMasters, President 6 th Ward Representative	03/21/06	01/01/14 – 12/31/16	116
Carol Pyles, Vice-President 7 th Ward Representative	09/17/08	01/01/13 – 12/31/15	87
Sam Loretta 1 st Ward Representative	06/20/06	01/01/15 – 12/31/17	113
Tim Stranko 2 nd Ward Representative	03/21/07	01/01/15 – 12/31/17	104
William Blosser 3 rd Ward Representative	11/05/2013	01/01/14 – 12/31/16	25
William Petros 4 th Ward Representative	01/19/10	01/01/13 – 12/31/15	71
Michael Shuman 5 th Ward Representative	08/04/09	01/01/13 – 12/31/15	76
William Kawecki City Councilor	07/02/13	City Council term ending 06/30/17	29
Dr. Ken Martis Administration Representative	05/01/01	at will of City Manager	175
<i>PC Tenure Summary:</i>	Total: 796 mos. or 66.3 yrs. Average: 88.4 mos. or 7.4 yrs.		
Board of Zoning Appeals			
Leanne Cardoso, Vice-Chair	08/21/07	01/01/13 – 12/31/15	100
George Papandreas	02/06/08	01/01/15 – 12/31/17	94
William Burton	12/17/2013	01/01/14 – 12/31/16	24
James Shaffer	02/07/06	01/01/13 – 12/31/15	118
Linda Herbst	1/1/2015	1/1/2015 – 12/31/17	12
<i>BZA Tenure Summary:</i>	Total: 348 mos. or 29 yrs. Average: 70 mos. or 5.8 yrs.		

The tenure trends illustrated in the table above for the Morgantown’s Planning Commission and Board of Zoning Appeals demonstrates a high level of stability, understanding, commitment, capacity, and leadership among these volunteer committees that Morgantown is very fortunate to enjoy.

The following table identifies attendance trends for the 2013, 2014, and 2015 calendar years. Please note that three (6) Planning Commission hearings were canceled during this period due to the lack of business matters.

Citizen Planner	2013		2014		2015		Three-Year Attendance Rate
	Absent	Present	Absent	Present	Absent	Present	
Planning Commission							
Peter DeMasters 6 th Ward Representative	2	8	2	7	1	8	82%
Carol Pyles 7 th Ward Representative	2	8	0	9	3	6	82%
Sam Loretta 1 st Ward Representative	2	8	2	7	0	9	86%
Tim Stranko 2 nd Ward Representative	2	8	2	7	2	7	79%
William Blosser 3 rd Ward Representative	N/A	N/A	1	8	1	8	89%
William Petros 4 th Ward Representative	0	10	1	8	3	6	86%
Michael Shuman 5 th Ward Representative	3	7	1	8	3	6	75%
William Kawecki City Councilor	1	4	1	8	0	9	91%
Dr. Ken Martis Administration Representative	1	9	2	7	1	8	86%
Board of Zoning Appeals							
Leanne Cardoso	2	10	1	11	2	10	86%
George Papandreas	1	11	1	11	1	11	92%
James Shaffer	2	10	3	9	3	9	78%
Bill Burton	N/A	N/A	2	10	1	11	86%
Linda Herbst	N/A	N/A	N/A	N/A	2	10	83%

2015 Building Permits and Construction Value

According to the Code Enforcement Department, the City issued 1,646 building permits during the 2015 calendar year (up 23.7% over 2014). The total construction/improvement value in dollars for which building permits were issued was \$102,121,306.15 (up 357% over 2014). The total amount of building permit related fees paid to the City was \$234,243.83 (up 72.0% over 2014).

Planned Unit Developments (PUDs)

As of December 31, 2015, there have been seven (7) Planned Unit Development (PUD) Outline Plans recommended by the Planning Commission and approved by City Council. The following narrative provides a brief update on the history and status for each PUD.

- **Square at Falling Run** – PUD Outline Plan was approved in 2003. Phase I to construct “The Augusta” was completed and tenants occupied the buildings in September 2007. The Planning Division reports that the developer has since filed bankruptcy and most if not all of the related realty was acquired by West Virginia University. The 2013 Comprehensive Plan Update recommends that a new zoning district be development to include most if not all of the University’s realty, which is programmed for 2016.
- **SC Bodner** – PUD Outline Plan was approved in 2006 and an amendment approved in 2008. The construction of “Mountaineer Place Apartments” has been completed and occupancy permits issued Fall 2010. The only remaining element is a gateway enhancement project within the Stewart Street and University Avenue right-of-way, which will satisfy the PUD’s open space requirement. The Planning Division reports that Construction Business and Occupation Tax revenues generated by the development were earmarked by the Office of City Manager for this project along with a financial commitment made by “Sunnyside Up”. Project design and construction has been delayed by the City Manager.
- **Grand Central Apartments** – PUD Outline Plan was approved in 2007 and an amendment approved in December 2008. The amendment approval included, among others, a condition that the PUD Development Plan be reviewed and approved by the Planning Commission within 18 months following City Council approval of the Outline Plan. The PUD Development Plan was not submitted and City Council, with the recommendation of the Planning Commission, consequentially enacted Ordinance 10-34 in September 2010 rescinding the PUD designation and reclassifying the subject realty to its previous zoning. It should be noted that the subject site and surrounding area is identified in the 2013 Comprehensive Plan Update Appendix A as a future study area.
- **Westminster House** – PUD Outline Plan was approved in December 2008 and amendments approved November 2009, February 2011, October 2011, and December 2011 extending the deadline to submit the PUD Development Plan. City Council, with the recommendation of the Planning Commission and consent of the developer, enacted Ordinance 12-48 in November 2012 rescinding the PUD designation and reclassifying the subject realty to its previous zoning. The zoning for the subject site was again reclassified to B-4, General Business District by Ordinance 13-47 in September 2013 and construction of the “Central Place Apartments” development on the site was completed in the Summer 2015.
- **Habitat for Humanity** – PUD Outline Plan was approved in July 2009 and an amendment was approved February 2011 to extend the deadline to submit the PUD Development Plan. City Council, with the recommendation of the Planning Commission and consent of the developer, enacted Ordinance 12-03 in January 2012 rescinding the PUD designation and reclassifying the subject realty to its previous zoning. Habitat for Humanity is currently constructing single-family structures on the subject site.
- **Beech View Place** – PUD Outline Plan was approved in March 2010. Construction has been completed with full residential occupancy and the majority of the retail spaces occupied.

- **Glenn Ridge Apartments** – PUD Outline Plan was approved in August 2015 to construct three (3) apartment buildings with a mix of 149 one- and two-bedroom units with a maximum number of 157 occupants. As of December 31, 2015, a PUD Development Plan and accompanying building permit applications were not submitted. The deadline to submit the PUD Development Plan is February 2017.

2016 Priorities & Planned Activities

- **Comprehensive Plan Implementation** – City Staff is developing a web-based portal to publish plan implementation progress on the internet for the over 200 implementation strategies identified in the plan. This web-based interface will be launched in the first or second calendar quarter of 2016. Additionally, City Council has allocated funds in the Capital Escrow Account to support outsourced tasks relating to prioritized strategy implementation. Increased Staffing levels funded in the FY 2016 General Fund budget should realize significant progress toward Plan implementation in 2016.
- **2010 Downtown Strategic Plan Implementation** –The Planning Division, with the assistance of outsourced consulting services, is working with a steering committee to develop design criteria that will be formally incorporated into the Planning and Zoning Code in order to promote better quality development in the downtown. The design criteria, through the combination of text and graphics, focus on factors such as building form, height, density, scale, materials, relationships to the street and sidewalks, and others. Presentation of recommendations to the Planning Commission is anticipated for the second quarter of 2016.
- **Citizen Planner Training** – Strategy I 2.4 of the Comprehensive Plan provides for the development of a formal training program for members of the Planning Commission and BZA focusing on land use law, meeting procedures, organization dynamics and how to use the Plan. Training opportunities have been conducted in the past by Staff and through WVU's College of Law Land Use and Sustainable Development Law Clinic. Additional training programming will be planned and initiated in 2016.
- **Modernization of Planning and Zoning Code Fee Schedule** – Fees associated with Planning and Zoning Code related applications and petitions have remained the same for a number of years. During the period of 01 JUL 2011 to 30 JUN 2014, Planning and Zoning Code related fees covered only 4.6% of service delivery costs. Staff will be working to develop fee schedule revisions in 2016 that better reflect the extent of services that are not currently recovered by existing fees.
- **Modernization of Subdivision Regulations** – The Planning Commission and City Council completed the lengthy task of modernizing and codifying the City's zoning regulations in 2006. The fundamental purpose of this endeavor was to implement progressive land use policies and strategies as well as comply with the State Legislature's similar effort in 2004 to modernize the State's Planning Enabling Law. Changes in State Code have created opportunities to streamline the review and approval of subdivision petitions. Incorporating these opportunities in Morgantown's Planning and Zoning Code requires a major amendment to the City's subdivision regulations. This project remains a priority and requires General Fund support to outsource the project. The Planning Division will continue to request project funding.
- **Sign Regulations** – Sign regulation management and enforcement remains a significant challenge given the scale and scope of related variances approved since 2006 and Planning Division staffing levels. Funding is necessary to outsource a comprehensive revision to the existing sign regulations thereby reducing the number of variances sought and incorporating greater sign design and development flexibility. The Planning Division will continue to request project funding.